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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,466	01/04/2002	Gururaj Nagendra	42390P13129	5624

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EXAMINER

REFAI, RAMSEY

ART UNIT PAPER NUMBER

2152

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/036,466

Applicant(s)

NAGENDRA ET AL.

Examiner

Ramsey Refai

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

Art Unit: 2152

DETAILED ACTION

*Response to Amendment*

Responsive to Amendment received August 7, 2006. Claims 1-6, 11-16, and 21-26 have been amended. Claims 1-30 remain pending further examination.

*Response to Arguments*

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Huitema et al (US Patent No. 7,065,587).

4. As per claim 1, Huitema et al teach an apparatus comprising:

a cache of a current peer in a current ring at a current level to store information of ring peers within the current ring (column 3, lines 15-58, column 8, line 44-column 9, line 20; peer nodes contains list of neighbors), the current ring being part of an hierarchical ring structure of peer-to-peer (P2P) nodes the hierarchical ring structure having at least one of a lower level and a upper level (column 9, lines 57-59, column 4, lines 13-23; multilevel cache of different levels ) and

Art Unit: 2152

a peer locator coupled to the cache to locate a target peer in the cache in response to a request to search for the target peer (column 9, lines 5-20; node receives query and search for target).

5. As per claim 2, Huitema et al teach a peer interface coupled to the peer locator to interface to at least one of a first lower peer in a first lower ring at the lower level and a first upper peer in a first upper ring at the upper level; the peer interface to forward the request to search for the target peer to at least one of the first lower peer and the first upper peer when the target peer is not located in the cache (column 8, line 44- column 9, line 20; node receives query and checks node list, if no match request is forwarded ).

6. As per claim 3, Huitema et al teach a lower interface to interface to at least one of the first lower peer and a second lower peer in a second lower ring at the lower level, the lower interface to forward the request to at least one of the first and second lower peers to search for the target peer when the target peer is not located in the cache (column 8, line 44- column 9, line 20).

7. As per claim 4, Huitema et al teach the lower interface to receive the request from at least one of the first and second lower peers to search for the target peer (column 9, lines 5-20

8. As per claim 5, Huitema et al teach:

an upper interface to interface to at least one of the first upper peer and a second upper peer in a second upper ring at the upper level, the upper interface to forward the request to at least one of the first and second upper peers to search for the target peer when the target peer is not located in the cache (column 9, lines 57-59, column 4, lines 13-23; multilevel cache of different levels) .

9. As per claim 6, Huitema et al teach the upper interface to receive the request from at least one of the first and second upper peers to search for the target peer (column 9, lines 5-10).

Art Unit: 2152

10. As per claim 7, Huitema et al teach the cache stores information of at least one of the first and second lower peers (column 9, lines 57-59, column 4, lines 13-23, column 8, lines 44-48; multilevel cache of different levels)

11. As per claim 8, Huitema et al teach:

a registrar to process registration of at least one of the current peer to the first upper peer and the first lower peer to the current peer, the registration including the information on one of the current peer, the first upper peer, and the first lower peer (column 8, line 44-column 9, line 4; new nodes are added to the appropriate cache level)

12. As per claim 9, Huitema et al teach:

an information retriever to retrieve the information of the target peer if the target peer is located in the cache (column 9, lines 5-15, column 3, lines 15-28, column 14, lines 20-25).

13. As per claim 10, Huitema et al teach the information includes an address of the target peer (column 13, lines 22-23, column 8, lines 45-50; address information).

14. As per claims 11-30, these claims contain similar limitations as claims 1-10 above, therefore are rejected under the same rationale.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited in the Notice of Reference Cited form (PTO-892).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2152


the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai  
Examiner  
Art Unit 2152  
October 29, 2006



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER